



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2005 Assembly Bill 970**

**Assembly  
Amendment 1**

*Memo published:* February 17, 2006

*Contact:* Anne Sappenfield, Senior Staff Attorney (267-9485)

Under *current law*, evidence that a person committed a prior criminal act is not admissible in a court proceeding for the purpose of proving that the person has a propensity to commit crimes or has a character or disposition that makes him or her more likely to commit a crime. However, evidence of a prior criminal act may be admitted for other purposes, including to prove motive, opportunity, intent, identity, or absence of mistake.

*Assembly Bill 970* provides that in a criminal proceeding in which a person is accused of committing first-degree sexual assault or first-degree sexual assault of a child, evidence that a person committed another first-degree sexual assault or first-degree sexual assault of a child, which is similar to the alleged offense, may be admitted to prove the character of the person in order to show that the person acted in conformity with the demonstrated character traits.

*Assembly Amendment 1* applies the provision to evidence that a person was *convicted of* first-degree sexual assault or first-degree sexual assault of a child.

### **Legislative History**

The Assembly Committee on Criminal Justice and Homeland Security offered Assembly Amendment 1. On February 15, 2006, the committee recommended adoption of the amendment on a vote of Ayes, 11; Noes, 0, and recommended passage of the bill, as amended, on a vote of Ayes, 11; Noes, 0.

AS:ksm